

### **REMARKS/ARGUMENTS**

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-33 are pending in the present application. Claims 1, 3-11, 13-15, 20, 29, 31 and 32 are amended by the present amendment without introducing new matter.

In the outstanding Office Action, the specification and abstract were objected to; Claims 1-33 were rejected under the judicially created doctrine of obviousness-type double patenting as unpatentable over Claims 1-5 of U.S. Patent No. 6,636,716; Claims 3, 8, 20, 21, 29 and 30 were rejected under 35 U.S.C. § 102(b) as anticipated by Iino et al. (U.S. Patent 5,826,148, herein "Iino"); and Claims 10 and 33 were rejected under 35 U.S.C. § 103(a) as unpatentable over Iino in view of Nakashima et al. (U.S. Patent 6,311,034, herein "Nakashima").

In response to the objections to the specification and abstract, the specification is amended in light of the comments noted in the Office Action.<sup>1</sup> Other portions of the specification are amended for other clarifications. Further, a new abstract that better reflects the claimed invention is submitted herewith. No new matter is added. Accordingly, it is respectfully requested these objections be withdrawn.

Claims 1, 3-11, 13-15, 20, 29, 31 and 32 are amended, and find support in the originally filed claims, for example. These claims are also amended for other clarifications. No new matter is added.

Addressing the rejection of Claims 1-33 under the judicially created doctrine of obviousness-type double patenting as unpatentable over Claims 1-5 of U.S. Patent No. 6,636,716, that rejection is obviated by the present response as submitted with the present

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<sup>1</sup> See page 2, paragraphs 1 and 2, of the Office Action of September 1, 2004.

response is a Terminal Disclaimer over U.S. Patent No. 6,636,716. The submission of that Terminal Disclaimer is believed to obviate the above-noted double patenting rejection.

Addressing the rejection of Claims 3, 8, 20, 21, 29 and 30 under 35 U.S.C. § 102(b) as anticipated by Iino, that rejection is respectfully traversed.

Amended Claim 3 recites, among other things, that the roller portion includes a volume resistivity ranging from  $0\ \Omega\cdot\text{cm}$  to  $10^7\ \Omega\cdot\text{cm}$  and a ten-point mean surface roughness of  $3\ \mu\text{m}$  or less. Other independent Claims 8, 20 and 29 include the similar limitation.

Iino fails to disclose or suggest that a roller portion of the developing roller includes a volume resistivity ranging from  $0\ \Omega\cdot\text{cm}$  to  $10^7\ \Omega\cdot\text{cm}$  as required by the roller portion of the developing roller as recited in amended Claims 3, 8, 20 and 29.

Accordingly, it is respectfully submitted that independent Claims 3, 8, 20 and 29 and each of the claims depending therefrom are believed to patentably distinguish over Iino.

Addressing the rejection of Claims 10 and 33 under 35 U.S.C. § 103(a) as unpatentable over Iino in view of Nakashima, that rejection is respectfully traversed.

Claims 10 and 33 depend from one of Claims 8 and 29, which as discussed above define over Iino. Further, Nakashima also does not disclose or suggest that a roller portion of a developing roller includes a volume resistivity ranging from  $0\ \Omega\cdot\text{cm}$  to  $10^7\ \Omega\cdot\text{cm}$  as recited in amended Claims 3, 8, 20 and 29.

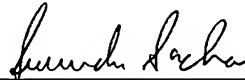
Because neither Iino nor Nakashima discloses or suggests the claimed limitation discussed above, the combined teachings of these references do not render obvious the structure/method as recited in Claims 3, 8, 20 and 29. Further, by virtue of their dependencies on Claims 8 and 29, Claims 10 and 33 are believed to patentably distinguish over Iino and Nakashima.

Accordingly, it is respectfully requested this rejection be withdrawn.

Consequently, in light of the above discussion, and in view of the present amendment, Applicant respectfully submits that the present application is in condition for allowance, and an early action favorable to that effect is earnestly solicited.

Respectfully submitted,

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